Report of the Property Rights Task Force

Engagement with Albertans

you tell us

Government of Alberta

FINAL
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Message from the Co-Chairs

A point of pride for Albertans is the rugged individualism that has defined and shaped our province's history. Generations have poured their blood, sweat, tears and energy into making this province what it is today.

From a vast and untamed landscape, Albertans have developed a robust agriculture industry, emerged as world-class producers of natural resources, and built vibrant communities and a complex network of infrastructure to serve a growing population and economy.

Achieving this has not been easy, or without conflict. Throughout our province's history, an ongoing challenge has been to balance the individual rights of Albertans with the need for development in the public good. Striking this balance requires us to carefully navigate the property rights of Albertans.

Over the past decade, Alberta's rapid growth has made striking this balance more challenging, raising concerns among landowners about property rights in the province. Over the months of December 2011 and January 2012, the Property Rights Task Force had the privilege of listening to Albertans talk about these concerns, and hearing their suggestions for securing the property rights of Albertans. We had the opportunity to visit communities across the province and receive input from hundreds of Albertans from all walks of life.

In our travels, we were struck by the strong and deep emotions shared by Albertans as they discussed their land, their lives and their rights. This emotion is fuelled by many factors – difficult past experiences, current problems and challenges, concerns about the future, and even instances of misunderstanding and miscommunication.

The passion with which Albertans spoke and wrote reflects the incredibly important role that property rights play in people's lives. As one individual put it, "they are the fundamental underpinnings of our democracy and society."

The Task Force wishes to thank all those who took time from their busy lives to participate in this consultation. We also express our appreciation to all participants for the respectful manner in which they provided input, both during the meetings and in the many one-on-one conversations that took place before and after the formal sessions.

The Task Force also wishes to thank local media for their efforts in helping spread word about this consultation process, and for their informative coverage.

It is our hope that this report fairly and accurately reflects the comments, perspectives and feelings shared by participants, and that it forms a useful basis for future actions to preserve and respect the vital property rights of Albertans.

Honourable Diana McQueen
Minister of Environment and Water

Honourable Evan Berger
Minister of Agriculture and Rural Development

Executive Summary

Report of the Property Rights Task Force

The Property Rights Task Force was created to listen to Albertans voice their concerns and ideas about how they would like their property rights respected. There is a broad understanding that our growing province creates a demand on the land and the need for responsible, common sense approaches to managing this growth. And while there is a desire to ensure Alberta reaches its potential, there is also a feeling that Albertans' property rights should not be compromised for the purpose of managing growth or development.

Albertans have told us that they must be actively consulted about management approaches and decisions on land use that affect them. They need to be assured that they have access to courts and representation to negotiate – or argue against – actions that could affect their property rights and, where ground must be given, they expect appropriate compensation.

Our report, "Engagement with Albertans," summarizes a range of issues brought forward to the Property Rights Task Force as well as the ideas proposed to address those concerns.

CONCERNS

Active consultation

- Respondents to the Property Rights Task Force said there was a failure to meaningfully consult in the creation of the *Alberta Land Stewardship Act*, the *Carbon Capture and Storage Statutes Amendment Act*, the *Land Assembly Project Area Act* and the *Electric Statues Amendment Act*. Numerous participants suggested discarding all and starting over.

- Similarly, there is seen to be inflexibility in regulatory bodies such as the Energy Resources Conservation Board (ERCB), the Alberta Utilities Commission (AUC) and the Surface Rights Board (SRB) because they have not responded or adapted to the growing pressures that property owners and land users have faced. Albertans want a full review of the guiding principles of these agencies – with public input – and, where no change is seen to be required, they want an examination of how these agencies deliver on their operating guidelines, again with public input.

- Many Albertans with freehold mineral rights said they felt there's been no consideration of the impact on their unique property rights from either urban growth or resource development technologies. These Albertans want an examination of the processes and mechanisms in place to protect their rights and want to have a voice in recommendations to strengthen them.

Appropriate Compensation

- Where formulas for compensation for intrusions on property rights exist, landowners said they are based on outdated financial values and overly restrictive considerations. They also said they do not adequately allow for impacts on neighbours who may be affected.

- Numerous Albertans pointed to the proliferation of unused energy industry infrastructure, unused transportation rights of way and various other physical remnants of past land uses that continue to impact current property rights. In many cases, these legacy holdings are retained because of a potential future use or value, but continue to be bound by agreements that don't reflect current values, resulting in landowners who are not adequately compensated.

Access to the Courts and Representation

- Some participants said a landowner or renter has little help when faced with a potential infringement of their rights by industry or government. There is an imbalance of power.
- Repeatedly, the Task Force heard the concern that some Albertans believed various legislative changes – or contemplated regulation – would remove a right to appeal to the courts.
- Across various pieces of new legislation, there is the belief that additional restrictions on landowners' access to encumbered property was created.

ADVICE FROM PARTICIPANTS

In addition to asking for issues and concerns, the Task Force asked for ideas and advice on steps that could alleviate those issues or concerns. Grouped under the three main themes of Active Consultation, Appropriate Compensation and Access to the Courts and Representation, these were the predominant suggestions.

Active Consultation

- Albertans want a conversation on exactly what "property rights" are. They not only want to explain what they see as their property rights, but hear what the government, regulators, industry and others view as a landowners' or users' property rights are and should be.
- Some Albertans want a clear, powerful statement of property rights enshrined in legislation.
- Many participants said they see previous consultations on the various pieces of property-affecting legislation as a pretense. They noted that when legislation – the actual language of a Bill – is presented first in the Assembly before it is made public, it reinforces

- A prominent concern was the timeliness and thoroughness of the removal of unused industrial infrastructure – pipelines, well heads etc – or unneeded encroachments such as former rights-of-way. Albertans want rules for removal and remediation of the land tightened and industry held to a higher standard.

Appropriate Compensation

- Some Albertans told the Task Force to review and repair current rules for compensation. Where compensation formulas or eligibility is spelled out in law or regulations, these formulas or rules should not differ for various land uses – highway, powerline or oil well. Compensation for neighbouring property owners or land users who are affected by landuse changes should also be addressed.

- Although not strictly a question of compensation, the impact of abandoned infrastructure or unused encumbrances should be recognized and compensated for at current values. Not only would this compensate the property rights holder for the infringement, but may create a greater incentive for the removal of the detritus and reclamation of the land.

Access to the Courts and Representation

- Participants want to ensure that laws do not remove the right to appeal any decision independently of the decision-maker, specifically to the Courts. Many asked for this to be made explicit in all relevant legislation.

- Some Albertans believe there is an unlevel playing field when their property rights are threatened by government, industry or other

CONCLUSION

There were many and varied specific concerns raised by Albertans during the work of the Property Rights Task Force about the potential for growth and approaches for management of that growth to impact their property rights. Many Albertans believe these can be resolved with a dedicated effort and resolve to ensure that property rights holders and land owners have 1) full information and understanding of the pressures through an active consultation; 2) enhanced ability to protect their interests, including access to the courts and 3) appropriate compensation where a land or property value is lost or impacted.

INTRODUCTION

Property is a cornerstone of Alberta society.

For many Albertans, the concept of property is linked first and foremost to owning or renting a home. However, property is fundamental to our way of life in many other ways, especially when it comes to the land and resources beneath our feet.

Alberta's agricultural producers own and lease land to grow crops and raise livestock, and play an important role in managing ecologically important areas. Natural resource industries, such as forestry and energy, work on and under the land to develop Alberta's abundant resources. Outdoor enthusiasts use land for recreational enjoyment and activities such as hunting, fishing and trapping.

Private landowners across Alberta use their land to earn income, to use and enjoy, and in many cases, to maintain a way of life that's been passed down for generations.

Members of the Property Rights Task Force

Chair
Honourable Diana McQueen
Minister of Environment and Water

Vice-Chair
Honourable Evan Berger
Minister of Agriculture and Rural Development

Honourable Verlyn Olson, Q.C.
Minister of Justice and Attorney General

Honourable Jeff Johnson
Minister of Infrastructure

Honourable Cal Dallas
Minister of Intergovernmental, International and Aboriginal Relations

Honourable Frank Oberle
Minister of Sustainable Resource Development

Mr. Raymond Prins
MLA for Lacombe-Ponoka

Mr. Arno Doerksen
MLA for Strathmore-Brooks

Mr. Doug Elniski
MLA for Edmonton-Calder

Public lands are managed by the Government of Alberta to support agriculture, resource development, tourism and recreation, and many other uses for the benefit of all Albertans. Increasingly, as our population continues to grow, there can be several different activities happening on the same piece of land.

In the course of these activities, Albertans depend upon their property rights.

In recent years, the Government of Alberta has pursued a number of initiatives relating to land and resource management. Landowners in the province have raised concerns that their property rights need to be better respected.

In response, Premier Alison Redford established the Property Rights Task Force in November 2011.

The Task Force was formed to listen to Albertans about their concerns with respect to property rights.

This report reflects what the Task Force heard from Albertans, including their suggestions about how the Government of Alberta can ensure the rights of property owners and land users are strengthened.

LISTENING TO ALBERTANS

While the Task Force was asked to engage with Albertans in a discussion of property rights, the overarching mission of the Task Force was to listen.

The Task Force received input from Albertans through a number of methods.

A Property Rights Task Force website was established. This provided information about the Task Force and outlined the different ways Albertans could offer their views.

The website included an online survey. This survey asked respondents for their opinions about property rights in Alberta, including how they believe their property rights have been affected over time. The survey also asked respondents for their ideas on what should be done to respect property rights, including considerations such as compensation, opportunities to influence decision-making, and access to appeal processes. Albertans had the option of completing the survey by telephone.

The survey was available from January 4, 2012 through January 23, 2012. A total of 290 responses to the survey were received.

The Task Force also accepted written submissions from Albertans through email, traditional mail, and at community meetings.

A total of 74 written submissions were received, and 88 telephone calls were received from Albertans.

In addition, the Task Force met in person with concerned Albertans and stakeholders.

Two meetings were held with key stakeholder groups: one on December 13, 2011 in Leduc, and the other on December 19, 2011 in Airdrie. Stakeholders who attended these meetings included representatives from: landowner associations and advisory groups; leaseholder organizations; freehold mineral owners; the energy industry; agricultural producers; and municipalities.

Throughout January, the Task Force held 10 community sessions across the province. These sessions welcomed general attendance by stakeholders, individual landowners and interested members of the public.

An estimated 1,035 people attended the community sessions and 26 people attended the stakeholder meetings.

Attendees of all in-person meetings were invited to express their concerns about property rights in Alberta. They were also invited to provide advice and suggestions to the Task Force about how property rights could be strengthened. The meetings were not intended to achieve consensus, but to canvass the full range of views among attendees.

It was extremely important to the Task Force that Albertans participating in the stakeholder meetings and community sessions had the opportunity to be heard freely and frankly. Accordingly, these were structured to enable attendees to speak openly and convey their views as comprehensively as possible.

The Task Force did not wish to pre-suppose what people would say, or have an overly managed process. Therefore, rather than specific or leading questions about property rights, attendees were asked two very general questions:

- What are your issues or concerns with respect to property rights in Alberta?
- What ideas or advice would you like to share with the Task Force as it develops recommendations for the Government of Alberta?

Independent facilitators – not Government of Alberta employees – moderated discussions among attendees, to ensure each person had the opportunity to speak and be heard. The facilitators captured people's views and perspectives on flipcharts, making an effort to double-check with people that their opinions were fairly, accurately and reasonably reflected.

In addition, other independent note-takers – again, not Government of Alberta employees – listened to the discussions and captured the views and perspectives expressed by attendees.

Members of the Task Force refrained from engaging in the discussions. They did not debate views, defend positions or offer clarifying information. Instead, Task Force members sat amongst attendees and focused on listening.

Members of the Task Force found this listening approach to be valuable and informative. It enabled the Task Force to gain a better appreciation and understanding of the issues at play, and how strongly these issues affect Albertans.

At the end of each stakeholder meeting and community session, a brief summary was presented to all attendees. This summary reviewed the major points heard in the discussions. Attendees were invited to provide additional feedback to ensure no major points were missed.

The input received through the stakeholder meetings, community sessions and written submissions were reviewed to form this report. Major and consistent themes emerging from the consultation process have been summarized in the following chapter.

Input gathered through the online survey, including responses received by telephone, was analyzed to identify the major ideas and views provided by survey respondents. Key findings are found throughout this report.

It is important to note that the views and perspectives contained in this report represent the opinions of the participants, and not official positions of the Government of Alberta. They are presented as a summary of what the Task Force heard from Albertans, irrespective of their accuracy or level of detail.

ALBERTANS AND PROPERTY RIGHTS

The topic of property rights is an emotional one. Property rights are intrinsically linked to Albertans' livelihoods, the well-being of their families and indeed their way of life. Participants in the consultation process exhibited very strong feelings when offering their input and perspectives to the Task Force. When they spoke and wrote, they did so openly and frankly.

Viewpoints provided through the consultation process – from the written input, to the survey results, to the comments received at community open houses – were remarkably consistent. Three very clear themes emerged:

- The initial consultation was inadequate, and there needs to be on-going discussion.
- An imbalance of power; property owners and users do not have the resources to ensure their rights are not infringed by government or industry
- Compensation for intrusions on land or property rights – which Albertans acknowledge may be inevitable in some instances – is inadequate, formulas are outdated.

To remain true to the intent of this consultation, the input is expressed in the language of the participants, without edit, correction or clarification by government. The input reflects the opinions of participants, not official facts or positions of the Government of Alberta.

What are your issues or concerns with respect to property rights in Alberta?

Theme: Failure of the Consultation Process

"We thought we knew what we owned... Now it's all in doubt."

A widely shared concern was that legislation such as the *Alberta Land Stewardship Act* (which participants also referred to as "Bill 36") has generated uncertainty about property rights. People said the language

used in this and other legislation is unclear, ambiguous and too open to interpretation. Where the language is not ambiguous, it is too restrictive. This is dangerous for something as fundamental as property rights.

Many participants felt they understood their property rights and the processes that were in place. These rights and processes had evolved over decades and a comfort level had been established. People said the new legislation suddenly changed all the rules, and now leaves them in doubt about what their property rights are or were. Rather than establishing greater certainty about how land and resources are managed, the new legislation and processes have generated confusion and concern.

"Planning needs to happen, but the approach has been totally wrong."

Many participants acknowledged there are worthwhile objectives and intent behind some legislation. For example, a number of people said that regional planning would help protect prime agricultural land from urban sprawl. Others said planning is needed to better manage recreational use of rural land. Many recognized that regional plans could help balance development with environmental protection. People also noted that Alberta is growing, and that more people will translate into more economic activity and increasing demands for roads and activities.

Survey respondents expressed the view that legislation was needed, but that it is too heavily weighted against property owners.

However, people explained, although the intent of the legislation might be good, the approach is not. Participants called the legislation heavy-handed and restrictive.

"Did the MLA's even read this legislation?"

Participants also raised objections to the way legislation was enacted. A common feeling was that the entire process felt extremely rushed. Some people said the government had invoked closure to "ram the bills through the Legislature" and limit public debate.

The lack of meaningful consultation with landowners was disrespectful and appalling, said participants. While people acknowledged that consultation meetings have been held around legislative initiatives and regional plans, they said the consultation processes have not been useful. For example, plans and ideas have often been discussed at the theoretical or "motherhood" level. Ideas sound good and are hard to disagree with at this stage, people said, because "the devil is in the details". For consultation to be meaningful, landowners need to see draft legislation or draft plans so that they can truly assess what the plans will mean for them.

Participants also felt that MLAs have not been particularly effective at stimulating public debate or consulting with their constituents. Many questioned whether their local MLA had bothered to read and understand certain pieces of legislation. Several people expressed the view that MLAs probably did not read the legislation "because they are told how to vote anyway". Some criticized the level of control exerted by political parties and the Office of the Premier, and suggested that if MLAs had more independence then much of the offensive legislation would never have been enacted in the first place.

"Central planning hasn't worked for other countries and it won't work here."

People expressed anger and frustration for the way decision-making around land use has been given to Cabinet. Many pointed to the *Alberta Land Stewardship Act*, which gives Cabinet the authority to approve regional plans as regulations. Participants said they are nervous about this approach to decision-making, since it occurs without transparency "behind closed doors." Others said the system amounts to "central planning of the worst kind," since decisions about land use and property rights impact the economy and go to the heart of the free enterprise system. Several people observed that central planning has a dismal record, comparing the approach to those of former Soviet states.

A widely shared concern was that by centralizing power with Cabinet, the Government of Alberta has undermined local decision-making and taken control away from municipal governments. Participants said this makes no

sense and leaves landowners feeling powerless. Local governments, they explained, are closest to citizens and are much more accountable to local residents. Municipalities also have better knowledge about local conditions and can identify ways of allowing development while respecting landowners.

"You're ramming through these power lines."

The subject of centralized Cabinet control came up again in relation to power lines. People took serious issue with the entire process for considering and building large electrical transmission lines. Many condemned the *Electric Statutes Amendment Act, 2009* (which participants also referred to as "Bill 50"). Participants said that this Act "does an end run" around the Alberta Utilities Commission (AUC) by allowing the Government of Alberta to declare certain power lines to be in the public interest.

The AUC, people explained, performs an important "check and balance" function by considering whether power lines are needed. This protects ratepayers, landowners and the landscape by preventing overbuilding of transmission lines. The AUC receives evidence, holds hearings and is transparent. Albertans can see how the determination is ultimately made. By cutting the AUC out of the loop and unilaterally deeming the power lines as necessary, the Government of Alberta has removed an important safeguard and has paved the way for a massive project that will significantly impact landowners' property rights. People cited this as another example of Cabinet making decisions behind closed doors without transparency. Some called it political interference of what should be an independent process. Others described it as "fundamentally undemocratic".

"The property rights of freehold mineral owners are completely ignored."

While most of the input received by the Task Force was about the property rights of surface landowners, the Task Force also heard concerns from freehold mineral owners. Freehold mineral owners expressed frustration

that practices by governments and the ERCB are damaging, infringing and sterilizing their mineral rights.

Freehold mineral owners said that changes to well spacing rules have hurt their rights. Well spacing rules ensure that wells are drilled far enough apart so that each mineral owner has a fair chance of capturing oil and gas from the shared formation. The ERCB has changed these rules, people explained, allowing wells to be drilled much closer together. As a result, wells drilled on Crown leases are draining oil and gas unfairly and negatively impacting freehold mineral owners' right to capture.

Compounding this problem, they said, are the royalty breaks offered by the Government of the Alberta for Crown leases. These encourage industry to drill multiple wells on Crown leases and produce as much oil and gas as possible under the low royalty rates. As a result, industry is now drilling right along the fence lines of freeholders.

Municipal annexation is also a major concern. Participants said that when urban areas annex surrounding rural lands, any freehold minerals under those lands are effectively sterilized because the urban area does not allow oil and gas wells. This amounts to de facto expropriation but freehold mineral owners are not compensated. Similar situations occur when developments such as airports, power lines and highways are built over freehold minerals. People said the Government of Alberta "acts like it doesn't care", because it does not own the affected minerals and would not be paid royalties anyway.

Freehold mineral owners said they want to be treated fairly and be regarded as owners with property rights – just like surface owners.

"This whole regional planning thing seems rushed."

Participants raised a number of concerns about the regional planning process generally. Many felt the process so far has been rushed and that government has "put the cart before the horse." In addition, people noted that some key policies called for in the Land-use Framework (such as policies on reducing fragmentation and conversion of agricultural land, and

a transportation and utility corridor strategy) have yet to be established. These policy gaps should be addressed first, they reasoned, before further regional planning proceeds.

Other people issued a reminder that regional planning is only one piece of the overall puzzle when it comes to land and resources. There is also a need for stronger environmental monitoring, they said, and for better integration of policies.

Some participants raised philosophical concerns. They suggested government reconsider whether regional plans should be regulated. The more government regulates, they warned, the further removed Alberta becomes from the marketplace. Several pointed to the free market as the best mechanism for efficiently allocating resources.

"It feels like our way of life is under attack."

An overarching and widely shared sentiment was that problematic legislation has been driven by an "urban mindset" that misunderstands rural realities. It was said that recent legislation represents the latest in a "steady and intentional erosion of the value that is placed on agriculture." The province appears to place a higher value on development – whether roads, oil wells or water systems – than on agriculture. As a consequence, the landowner is "getting steamrolled in the name of the public good."

Many participants emphasized the special relationship that rural Albertans have with land. As one said, "The land is not just where we put our house; it's how we make our living and feed our families." People reminded the Task Force that rural Alberta is responsible for feeding urban families as well. When land or a statutory consent is taken away or impaired, they warned, it impacts a farmer's ability to grow food and provide ecological goods and services. That affects all Albertans.

People also stressed the importance that land and property rights have for the legacy of rural families. The land owned today by many rural landowners was passed down through several generations. In some cases the same family has worked the land for over a century. Rural landowners want to be able to carry on that great legacy, participants

explained. Every encumbrance or restriction placed on land, or any statutory consent that is taken away, devalues the land and threatens that legacy.

A great many participants took pains to stress they are not opposed to development. Too often industry erroneously portrays landowners as difficult and inflexible, but this is not the case. In fact, they said, landowners recognize the importance that energy production, roads, utilities and other industrial activities have for the future of Alberta. Landowners simply wish to be treated fairly, with open and honest communication, and full and fair compensation.

"We've been stewards of the land for decades – don't ignore that."

Many participants emphasized the long and rich connection their families have had with the land, as landowners and leaseholders. Some families have worked the same land since before Alberta was a province. Others have maintained public lands under grazing leases that were granted decades ago. Participants said this rich history has given them unique expertise and knowledge about the land, but this knowledge does not appear to be valued by government. Instead, government regulators and land use planners are setting rules about how land should be used and "treating landowners like children."

Many called this approach narrow and offensive. As people who live off the land and want to keep it healthy for their children, landowners are some of Alberta's best stewards. Rather than being ignored, landowners' knowledge should have a more prominent role in land use planning and decision making.

"Government needs to get serious with industry."

Serious concerns were raised about the ways industrial practices are impacting Albertans' property rights. The strongest comments were made in relation to abandoned energy infrastructure, such as wellheads and pipelines.

Many people expressed the opinion that industry and government have grown "too close". The Government of Alberta seems unwilling to enforce

higher expectations on industry, people said, because it wants the royalties from energy development. This attitude enables industry to engage in practices that abuse the land and impact Albertans' property rights. Participants said the Government of Alberta needs to demand better performance from industry, including timely and full reclamation of energy facilities. Government is there to protect the rights of ordinary citizens, they said, not the profits of oil companies. A full review of rules and requirements for removal of unused infrastructure, reclamation of impacted sites and remediation of the land is required, Albertans said.

Theme: Compensation is Inadequate

"Compensation was already unfair, and we believe this legislation has made it worse."

The Task Force heard a lot of concerns about compensation. A common complaint was that several pieces of legislation either provide no compensation, or limit compensation payable, when a property right is taken away or infringed upon.

Many people said the *Alberta Land Stewardship Act* does not allow for compensation if a statutory consent (such as grazing lease or water licence) is rescinded by the government. Participants explained that once a statutory consent is granted, it becomes intrinsically linked to the land's value because it allows for more uses on the land and makes the land more valuable. (For example, a water licence can change a dry piece of land into productive farmland.) The value added to the land by the statutory consent is recognized by buyers, sellers and renters, and even banks will grant loans based on this higher value. Rescinding a statutory consent has major implications for a landowner. Accordingly, people said, the government should be required to fully and fairly compensate a landowner if a statutory consent is going to be rescinded.

Participants also expressed the feeling that recent legislation "has added insult to injury" because compensation schemes were already outdated.

and unfair. People shared stories about their past and present compensation challenges.

A large number of people talked about oil and gas leases, saying that compensation levels were established decades ago when land and resource prices were much lower. Since then, both have markedly increased in value, but compensation for surface rights has not kept pace. In addition, compensation is paid only to the surface owner of the land where the oil or gas facility sits, even though neighbouring landowners are also impacted by the facility. Projects today have a much wider impact than their immediate boundaries, participants said, but compensation frameworks do not reflect this reality.

People explained that an oil or gas well effectively "sterilizes" a portion of the land, since the land around the well can not be used for anything else. However, landowners are not compensated for lost opportunity or income relating to this land. Participants also observed that landowners are not compensated for ecological goods and services they produce on their land, even though all Albertans benefit from them. Some suggested that the government should enact market-based tools to reward landowners who produce ecological goods and services on their land – such as clean water and riparian areas – so that these things are appropriately valued by society.

"To me, the way government took the pore space amounts to theft."

Consistent with other comments about compensation, a number of participants cited the *Carbon Capture and Storage Statutes Amendment Act* (which participants also referred to as "Bill 24") as an example where property has been taken without proper compensation. People expressed frustration that the Government of Alberta used the Act to simply "declare" itself the owner of pore space.

Some participants said that the question of pore space ownership should have been resolved by the courts, rather than unilaterally decided by government. Other participants were less equivocal. Many felt that pore space has always been owned by landowners, and that landowners

should have been appropriately compensated – and consulted – if the Government of Alberta wanted to take or use the pore space for its carbon capture and storage initiatives.

Landowners expressed concerns that government will have the authority to inject carbon dioxide into private lands without landowner input. Many people said that carbon capture and storage is expensive and unproven technology, and its potential effects on land are still not fully known. In light of these concerns, landowners want to have a say in whether carbon dioxide will be injected under their land. Several people said they are sceptical and suspicious, given the way government behaved in seizing the pore space.

"We feel like serfs on the land."

A number of concerns were raised about the *Land Assembly Project Area Act* (which participants also referred to as "Bill 19"). Many people said the Act "turns back the clock" on property rights, since it gives the government the ability to unilaterally freeze a landowner's private land that it may or may not want in the future for a road or other project. Once land is frozen, participants explained, it has effectively been sterilized. No bank will recognize it as collateral and no one will purchase or rent the land because it has been flagged.

Participants said the Government of Alberta does not provide any compensation while the land is frozen, which might be several years. In the meantime, people said, the landowner is not allowed to do anything with his or her land – such as farm, build or develop – without asking permission from the Minister. Landowners are "left in limbo". Many participants compared this to the old feudal system, where everyday citizens were subject to the whim of the King or Queen of the day.

People expressed their belief that the Government of Alberta enacted this legislation to make a "cheap and unfair land grab". If government thinks land will be needed for a highway or corridor or other project, they reasoned, then government should purchase the land from the landowner using full and fair compensation.

"Land is being abused."

As people expressed frustration that energy companies do not fully remove equipment when an energy site is no longer in use. Many well heads remain standing on the land. Even in cases where a well head has been removed, other parts of the well will remain in the ground.

Participants said that pipelines are particularly problematic, since they are left in the ground when abandoned. This limits what can be done with the land (for example, a landowner cannot build a house or basement over the pipeline), but the landowner is not compensated for the ongoing impact. Setbacks are also placed around abandoned facilities, which effectively sterilize an even larger area of the surface and further restrict uses of the land. Again, people said, landowners are not fairly compensated for this impact.

Theme: Imbalance of Power, Access to Redress and Recourse

"Access to the courts is a fundamental right and it can't be taken away."

Participants expressed dismay that certain legislation restricts or denies Albertans the right to access the courts. Instead, they said, the legislation allows government to have the final say on decisions about land and property. People forcefully stressed that access to the courts is a fundamental principle of democracy and fairness. The courts offer an independent decision maker that can fairly assess disputes and protect people's rights. People said that restrictions on access to the courts "violate the basic rule of law", and landowners should always have access to an independent court.

Some people said they understood the need for government to undertake land-use planning efficiently, and recognized the desire to avoid lengthy legal battles that would be costly to everyone. Despite such good intentions, however, they felt denying access to the courts was overly heavy-handed.

Other participants had a less charitable view. They suggested the Government of Alberta wishes to restrict access to the courts in order to quash dissent and avoid public debate. Many said this has hurt their trust and faith in the government, and only serves to demonstrate why citizens need full access to the courts.

"We need proper, independent regulatory bodies."

Participants raised a broader concern that independent decision-making has disappeared over time. Landowners feel there is no body or institution looking out for their interests. People said the Energy Resources Conservation Board (ERCB) has lost credibility in the eyes of landowners and Albertans. Many commented that the ERCB stopped being an independent regulatory body a long time ago, and that it is now regarded as a promoter and facilitator of industry.

The Surface Rights Board (SRB) was also described as a poor watchdog for landowners' rights. People said the SRB acts like a "rubber stamp" for developers and that it fails to provide fair compensation to landowners for surface access.

In addition, participants expressed frustration about the hearings processes used by the ERCB, SRB and AUC. Some described them as confusing and hard to navigate. Others likened them to "kangaroo courts", where decisions appear to have already been made in advance and industry can offer false or misleading statements without consequence.

To make matters worse, participants said, the Government of Alberta seems intent on undermining what little independence and credibility might be left in these decision-making bodies. Although landowners have concerns about the impartiality of these bodies, they trust Cabinet even less to make decisions about energy projects and compensation. The whole point of having independent bodies, participants explained, is so decisions are made without bias and political control. Putting decisions in the hands of Cabinet fails on both fronts. People also observed that government is not impartial, because it has a financial interest in seeing energy projects go ahead.

People called on the Government of Alberta to restore independent, impartial decision making by arm's length boards. They suggested board members should not be appointed by Cabinet, but selected in more objective and democratic ways so that they are truly independent.

"There's a real imbalance of power."

Participants talked about the imbalance of power that exists when landowners are confronted by industry or government. People described the process as "frightening". They relayed their difficult experiences, with many admitting to a lack of knowledge and feelings of intimidation.

When dealing with landowners, companies are typically represented by landmen who have many years of experience and expertise. It is usually too expensive to hire a lawyer, people explained, and most landmen refuse to represent landowners out of fear of industry reprisal. As a result, landowners aren't always fully aware of their rights and can feel pressured into signing unfair deals.

Government typically sends experienced negotiators, participants said. When agreement can't be reached, individual landowners often end up representing themselves in hearings. People called this a "David and Goliath" scenario in which the landowner is placed in a powerless and dangerous position. As one individual asserted, "You shouldn't have to litigate against your own government."

Participants said that landowners are happy to negotiate with industry or government, but that negotiation needs to take place "on a level playing field." Several suggested that landowners should have better access to information and resources.

What ideas or advice would you like to share with the Task Force as it develops recommendations for the Government of Alberta?

Theme: Fix the Consultation. Work With Albertans

"There should be meaningful consultation before decisions get made."

A number of participants found it strange that the government was asking how they felt about legislation after it was already enacted. Had it occurred the other way around, then many issues and frustrations could have been avoided. Participants said that meaningful consultation needs to happen with landowners before legislative, regulatory or policy changes are made. Consultation should be mandatory whenever a project, proposal, initiative or legislation will affect property rights.

Survey respondents' suggestion: Make involvement of landowners a legal requirement

People observed the Government of Alberta had undertaken consultations on regional plans and on certain legislation, but those consultations were poorly attended. Changing the approach to consultation could improve public engagement and result in better outcomes. Participants suggested a number of improvements:

- Move away from open house formats. Open houses allow people to ask anything, but land-related subjects are often complex and citizens don't always know what questions they should be asking. A framed and facilitated discussion works much better.
- Dialogue needs to be meaningful. Too often consultations ask "motherhood" questions or present issues at level that skirts debate. Instead, the real issues need to be "put front and centre" and "the tough questions need to be asked and confronted".

- Have subject matter experts on hand during consultations, so that specific and technical questions can be asked.
- It helps to have draft documents so that people can see what is being proposed. When the proposal involves legislation, Albertans should be able to see and comment on the draft bill before it is introduced in the Legislature.
- Consultations about enabling legislation are difficult, because "the devil is in the details". In these cases, the draft regulations should also be presented to Albertans so that people can truly determine the consequences of the legislation and provide informed input.

"Doing things differently could stop a lot of problems before they start."

Participants felt that many concerns around property rights could be avoided if industry and government did things differently. For example, many said that industry should do a better job of involving landowners in project plans. Being forthright and up front with landowners helps build trust. Providing as much information as possible about a project can alleviate landowner concerns, and in several cases the landowner can offer information and perspectives that will be helpful to the company. This includes being very detailed about future reclamation plans. When reclamation plans are vague, people explained, landowners become suspicious that proper reclamation will not occur.

Industry flexibility would also go a long way, participants said. Rather than telling the landowner what a plan entails, industry should work with the landowner collaboratively to address any concerns. This way, the project can be undertaken in a way that meets all parties' interests. For instance, companies should have landowners help select routes for pipelines that will go under their land.

People had advice for the Government of Alberta as well. One suggestion was that the government should play a stronger role in raising awareness

among landowners and industry, so that everyone is working from the same level of understanding. This includes awareness about property rights, landowners' rights, and government's regulatory expectations of industry.

Survey respondents said there should be better public education about property rights and responsibilities

Another suggestion was for government to change certain processes that often lead to conflict down the road. When the Government of Alberta holds land sales, for example, it should involve the surface landowner and nearby freehold mineral owners. The municipal annexation process should also be changed so that it considers and protects the rights of freehold mineral owners.

"Pull the plug on that power deal."

A number of people encouraged the Government of Alberta to allow the AUC to independently assess the need for high voltage power lines. A decision of this magnitude, they said, should be based on evidence and made in a transparent way.

Some participants went one step further, suggesting the Government of Alberta also revisit its decision to deregulate the electricity market. These individuals expressed the opinion that deregulation has not achieved its original objectives, and has resulted in higher power bills for consumers. They argued that re-regulating the market would better protect consumers, landowners and taxpayers.

"Scrap this legislation and go back to square one."

Participants clearly and directly called for repeal of the concerning legislation. Although the objectives of some of this legislation might be valid, they explained, the approach has been heavy-handed and wrong. Many people said that repeatedly amending the legislation would not be sufficient, as landowners have lost trust. They encouraged the

Government of Alberta to start over with a process that truly engages landowners and gives them a chance to see and understand what is being proposed.

Participants also said the Government of Alberta should halt action on land-related initiatives, such as regional planning, until property rights issues are resolved and protections are put in place. A number of people felt the "old rules were working well" and that the Government of Alberta already had sufficient authority before the legislation was enacted.

Survey respondents' suggestion:
The Government of Alberta should put legislation in place that describes and protects private property rights.

Some participants disagreed with repealing legislation. These individuals argued that a great deal of time and effort had already been expended on efforts such as land-use planning. With Alberta growing rapidly, land and resource planning is urgently needed, particularly for protecting prime agricultural land. Scrapping the laws would send the province backwards and waste precious time. However, these same participants said that changes to the legislation are essential, to restore access to courts, ensure fair compensation and mandate proper consultation.

"We need to clearly define property rights and entrench them."

A widely shared view was that property rights in Alberta need to be clearly defined. Indeed, participants had differing views about the extent of property rights that citizens currently have. Some referred to the Magna Carta and the history of common law in making their arguments. There were views expressed that citizens have no inherent right to own property and remain subject to the will of the Crown. Others expressed the belief that citizens might not own property, but still have a set of property rights. Still others said that neither the Constitution Act, 1867 nor the Constitution Act, 1982 provide citizens with property rights protections. The Alberta Bill of Rights was also mentioned, but again, participants had diverse views

about what that document says and means, and whether it affords Albertans sufficient protection.

In light of these varying perspectives, people made the point that "we don't even know what we mean by property rights". This lack of fundamental clarity results in a lack of context, which makes it difficult for the public to have a proper debate on land-related issues and legislation. Participants said that legislation should be developed and enacted that defines and protects property rights for Albertans. This legislation should take priority over all other statutes and regulations, thereby ensuring that no landowner can have their property rights violated or infringed.

Participants said this legislation should make it clear that property rights apply not only to land, but also to leases and statutory consents. It was also suggested that the legislation cover issues currently in the Surface Rights Act, specifically rights of access. People listed a number of rights that should be set out in the legislation. These include: the right not to have property rights taken or infringed without due process; a right of access to the courts; and the right to full and fair compensation. Defining these rights in law, participants asserted, would help ensure that the public good is balanced with sufficient protection of individual Albertans' rights.

"Government needs to start getting serious with industry."

Many people stated a belief that the relationship between the Government of Alberta and industry has become "a little too close for comfort." A growing feeling among landowners is that government "permits industry to get away with cutting corners" and "looks the other way when things go wrong." Landowners' property rights are being impacted as a result.

Participants advised the Government of Alberta to place higher expectations on industrial players, including their practices and their record of environmental stewardship. Government must ensure that Alberta's air, water and land are kept healthy and clean. Many encouraged the government to quickly implement a cumulative effects approach to regulating industrial development.

It was also suggested that government force industry to use existing corridors and rights-of-way when placing infrastructure. This would help reduce land disturbance and, in so doing, reduce interference with landowners' property rights. People shared examples of companies choosing to route pipelines through their undisturbed land, even though a minor detour could be used to run the pipeline along an existing roadway. Others told stories of companies building new access roads to their energy facilities, even though existing access roads in close proximity could largely be used. Participants described these issues as "largely common sense," and said that government policies should force industry to use some.

Fundamentally, participants said, government needs to "remember who it works for." Albertans expect their government to look out for the rights of individual citizens, not the profits of large corporations.

Theme: Update Protective Legislation and Regulation, Overhaul Compensation

"Compensation needs to be comprehensive and consistent."

Participants called existing compensation frameworks a "patchwork." Compensation methods are calculated differently under various statutes, depending on what is happening to the land or lease, and what is being taken. For example, compensation for having an oil well on a landowner's property is different from compensation paid when the province takes land for a highway. People said that the model used to calculate compensation should be more consistent.

Overwhelmingly, participants said that compensation should be "full and fair," although there were diverse views on what that means. Many argued that the Expropriation Act should always be used when the government wishes to take away or infringe upon any property right. People said this Act provides for multiple heads of compensation, making it truly full and fair.

Participants offered some bedrock principles for making compensation fair and full. These included:

- Compensation should be paid for any change that reduces the use, enjoyment or value of a land or statutory consent. This includes cases where a regional plan places a new restriction on a piece of land.
- Landowners should be entitled to more than the current "fair market value" of their land. If landowners wanted to obtain fair market value, they would willingly sell their property on the open market. When a landowner is forced to sell or relinquish a property right, they become an "unwilling seller," and a premium should accordingly be paid.
- Compensation should cover more than today's land value. It should also consider lost economic opportunity resulting from the property right infringement. For example, land under and around an oil well can not be used to grow crops; this land could otherwise generate income.
- Compensation should be paid as long as something is impacting the land. For example, abandoned pipelines left in the ground continue to impact the landowner and restrict what the land can be used for. Albertans recognize that some unused encumbrances may have a future value, but note that where compensation for the encumbrance is light or non-existent, the potential for a future use can be an excuse for not addressing it.
- Landowners should be compensated for the ecological goods and services they produce on their land, and from which all Albertans benefit. Currently these are not valued by the marketplace. Landowners effectively give these away for free.

Also discussed was the nature of compensation systems, with many saying that approaches need to change. People criticized industry for what they saw as a "divide and conquer" approach to negotiating with

landowners. This signals bad faith and pits landowners against one another, creating difficulties for smaller communities. At the same time, participants said, landowners can not be treated with a "one size fits all" approach. Each landowner should be dealt with individually, since each owner's land and circumstances are unique.

Participants said that approaches taken by industry and government must be fair. Fair and negotiated settlements should be reached with each landowner, not dictated by more powerful industry players or government. It was also said that "landowners should have the right to say no" to a project on their land. Under the current system, the word "no" isn't provided as an option.

Another suggestion was that compensation frameworks should be modernized to recognize the broader impacts of projects. For instance, nearby landowners should also receive compensation, perhaps based on a sliding scale. Even if a lease, pipeline, road or power line is not on their land, neighbouring landowners feel an impact in terms of nuisance, or loss of use or enjoyment.

Survey respondents' suggestion:
Property owners' and land users' compensation amount for decisions that impact their rights should be negotiated case by case.

Participants emphasized a crucial bottom line: if an individual's land or statutory consent needs to be taken away or infringed for the "public good", then the public should be willing to pay for that – fairly and fully. Some people observed that proper compensation will lead to more efficient use of land. If it is too cheap and easy to take land, then too much rural land will be taken for projects, resulting in less land for growing food and generating ecological goods and services.

Theme: Imbalance of Power

"Landowners need someone, somewhere that will look out for them."

Although access to the courts is essential, participants explained, most landowners would prefer not to go to court. Court cases are adversarial, stressful and expensive. Ideally, landowners can reach a fair, negotiated agreement with industry or government in situations where land or property rights will be impacted. However, participants stressed that negotiation should take place on a level playing field. Currently it does not.

Participants reiterated their concern that landowners do not have an independent advocate that looks out for their interests. Many stated a belief that the ERCB, SRB and AUC have become too slanted toward industry. Government is also seen as less than neutral. In many cases the government is creating the impact and is sitting across the table from the landowner. In cases where the landowner is dealing with the energy industry, the Government of Alberta is not truly impartial because it wants to maximize royalties from the development of Crown minerals.

It was suggested that an office or organization be established to provide landowners with resources such as:

- Information about property rights and compensation;
- Tools that help individual landowners negotiate with other parties;
- Information and assistance in navigating regulatory bodies when a landowner wishes to object to a proposal or can not reach agreement with another party;
- Subsidized or fully-paid-for legal assistance to landowners.

Some people suggested the Farmer's Advocate could be enhanced to provide these functions.

"Access to the courts is fundamental for a free and democratic society."

The message from participants was direct and overwhelming: the Government of Alberta must fully restore access to the courts. Where legislation has taken away that right, it must be reversed.

People stressed the importance of courts in the functioning of a democracy. There should always be a right of appeal to an independent court. This is particularly important when landowners face the prospect of government making decisions and taking actions that will impact their property rights. In these situations, government cannot provide unbiased oversight. Citizens need access to a truly independent body, separate from government, to assess rights and remedies. Access to courts is essential for Albertans to have due process.

"Albertans need truly impartial regulatory bodies again."

A strong message received from participants was that the Government of Alberta should make changes to the ERCB, AUC and SRB and other decision-making bodies. The decisions made by these bodies – such as granting a right of access, awarding compensation, or approving an energy project – fundamentally impact the property rights of landowners. These bodies must be independent, so that their decisions are truly impartial and based on evidence, not political whims.

People suggested the Government of Alberta should alter the nature and membership of these bodies' boards. Rather than being accountable to a single minister or to Cabinet, the board members should be accountable to the entire Legislature or directly to Albertans. Instead of appointments by the minister, participants said, board members could be elected by the public or hired by a non-partisan committee.

It was also suggested these bodies should use processes and controls that are more like the courts. For example, there should be real consequences when an individual or company misrepresents facts or

gives false testimony. There should also be better rules around what kind of evidence can be advanced or relied upon.

Another comment was that board members of decision-making bodies should "learn what's happening on the ground." Many participants felt that board members make their decisions in large urban centres, isolated from the realities of rural life. As such, they might not fully appreciate or consider how their decisions will impact families' lives and livelihoods. People said that decision-makers should be required to visit the land and the site that is the subject of the decision.

"Landowners have the right to know what's happening on our land."

A much greater level of information should be provided to landowners, participants said, especially when it comes to industry projects. Even though the Crown often owns the minerals beneath the surface, the Government of Alberta must remember that what happens underground can have an incredible impact on the surface. For this reason, landowners deserve to have access to any and all available information about the activities taking place. This includes the results of industry and government testing. People cited a number of areas where they want more information, including:

- the implications of hydrofracking, particularly with respect to groundwater sources, soil quality, and the movement of oil and gas underground;
- the integrity of abandoned facilities, including their impacts on water and soil; and
- the environmental consequences and impact of industry activities.

Participants said the general public should also have access to more information about land and resources. This have more information should be available to the general public. In particular, all Albertans should have access to the results of environmental monitoring so they can judge for themselves whether industry is meeting expectations. The public should

also have access to information about ERCB and AUC applications, including the status of applications, supporting documents, and decisions. To the extent possible, information made available to the public should be clear, understandable and written in plain language.

"The system should be easier to access and understand."

Steps should also be taken to make it easier for landowners to defend their property rights. Participants said it is hard to navigate the many regulatory entities and processes that are currently in place. This adds an additional level of frustration and stress, and makes it more challenging to defend property rights. Reducing the complexity of these processes and making the system more straightforward would be beneficial. Landowners must be able to easily obtain information and participate in decision making when a project or land use change stands to impact their property rights.

However, people cautioned that streamlining the system should be for the benefit of landowners. It should not have the effect of reducing the level of scrutiny when companies apply for project approvals. Landowners must always have a fair chance to provide input on a project before it is approved.

"The whole point of land titles is so that people know what's on the land."

Information about land and property rights was also discussed in the context of the land titles system. Participants stressed that buyers and renters of land need to have a clear picture of how the land might be encumbered or restricted. Several people relayed stories about individuals or developers buying homes or land, only to discover later that they lie within an emergency planning zone (EPZ) or have abandoned energy facilities underground, and consequently have restrictions on their land. While it was acknowledged that individuals and companies should always "do their homework" before investing in land, participants said it should be easier for Albertans to scope out these kinds of issues.

Many suggested improvements to the Land Titles system. It was noted that the purpose of Land Titles is to provide clear information about land, including surface and mineral ownership, caveats, rights-of-way, encumbrances and other issues that impact use, enjoyment and value. People said more information should be listed on land titles, including locations of abandoned energy facilities and whether land lies within an EPZ. Freehold mineral owners asked that "deep rights reversion" rights also be noted on title. Several participants noted that, presently, the Land Titles office deliberately removes energy facilities from the land title when those facilities are deemed "abandoned," even though are still buried in the ground and have continuing consequences for landowners.

Another suggestion was for the Government of Alberta to provide more information about land during its land sales process. Prospective industry bidders would then have an easier time determining what impediments there might be on the land. This might help avoid landowner-industry conflicts down the road.

"Make things easier to read, so people can understand what's happening."

Participants also had suggestions for how information should be conveyed. Many emphasized the need for communications that everyone can understand. Although land use and other property-related topics can be technical and complex, it is vital that industry and the Government of Alberta work hard to use plain-language communication to the extent possible.

Information also needs to be consistent. Some people said the information they received about legislation was different, depending which ministry, Minister or MLA they contacted. This generated confusion, worry and suspicion. When government will take action that impacts Albertans' land and property rights, it is essential that the details are clear, certain and consistent.

People also said that the Government of Alberta could do a better job of "getting the word out" about proposed legislation and initiatives. One suggestion was for government to work through existing "synergy groups" in the province. These groups have established networks among stakeholders, the energy industry and the general public, and as such, can be ideal for facilitating communication and dialogue.

"Give power back to municipalities."

As an alternative to centralizing decisions at the provincial level, participants suggested that municipal governments should have more authority when it comes to decisions about land use. People noted that local governments are "closest to citizens". They argued that local governments are also better positioned to make decisions about land use, since they understand local needs and circumstances.

Another suggestion was that municipalities should be given a special role in decision-making processes of the Government of Alberta, the ERCB and other bodies. Involving municipal governments earlier in these processes could help avoid troubles down the road. Municipal governments could draw on their local contacts and local knowledge to identify potential conflicts and recommend and broker solutions that work for project proponents and landowners.

WHERE WE GO FROM HERE

It is clear that Albertans care deeply about their property rights.

For landowners, leaseholders and freehold mineral owners, the land and minerals under their feet represent far more than a means to make a living. They also represent a way of life.

The lives of Albertans are intrinsically bound with the land and resources they own, manage and care for. In many cases this link has existed for generations. These special relationships form part of their history, their cultures and their identities. They are woven into the fabric of entire rural communities.

Property rights are at the core of that way of life. They underpin everything that happens with land and resources. Albertans depend on having and being able to exercise these crucial rights. They rightly and understandably wish to see these rights preserved and respected.

The individuals who participated in this process presented a range of views to the Task Force, but an overriding message came through very clearly. Albertans want certainty when it comes to their property rights – certainty about what those rights are; about the rules for how industry and government must respect those rights; and about what must happen, financially and legally, if those rights are infringed or impacted.

Participants also sent a message about their hopes for the future. Far from being opposed to progress, Albertans recognize that more roads, industrial projects and utilities might be needed as our province continues to grow. By and large, they understand their land may need to play a role in helping build a better Alberta through these kinds of developments.

What they ask is for greater openness, transparency and fairness when their property rights are at stake, and better respect for due process and the rule of law as decisions are made.

Though the Task Force heard comments about certain legislation, there were many more concerns expressed about the broader processes and systems currently used to make decisions and approve developments, and how these impact property rights.

These issues are extremely complex. The processes and systems in use today have arisen and evolved over decades, as our province has grown and changed. They are also highly inter-related; changing certain processes will have significant impacts on others. It is important the Government of Alberta takes time to carefully examine how to make these processes work better for Albertans. Indeed, a great many Albertans said that government should not act in a rash and hasty manner when considering changes that affect land, resources and rights. Otherwise a difficult situation can easily be made worse.

At the same time, there are areas which the Government of Alberta can address in the shorter term. Clearly, opportunities exist to improve public engagement around land and resource management policies. Landowners, stakeholders and all Albertans should be meaningfully engaged that they can influence policies and legislation. Engagement processes must provide sufficient context and greater detail about what is proposed, so that Albertans can offer informed input on issues that will impact their lives.

Government also has opportunities to improve communications with landowners, stakeholders and all Albertans. In particular, more work can be done in the short term to enhance public awareness about landowners' rights and how those rights are to be respected; and about government's expectations of industry when energy and other developments will affect Albertans' private property rights.

In addition, the rich and valuable input received from Albertans will be used by the Government of Alberta to consider lasting solutions to the complex issues raised in this process. This will include short, medium and long term actions that can provide greater certainty and better respect

property rights. Landowners, leaseholders, freehold mineral owners, other stakeholders and all Albertans will be appropriately engaged so that their views can inform proposed changes and solutions.

On that note, the Task Force wishes to again thank the many Albertans who participated in this consultation process – through the survey, written word, or attendance at a meeting. Their insightful viewpoints and first-hand experiences provided informative learning opportunities for members of the Task Force and for other MLAs who also attended.

Thanks are also extended to the team of facilitators whose valuable assistance with the stakeholder meetings and community sessions enabled the Task Force to focus on listening to Albertans.

The Task Force believes this consultation process represented a new approach to listening. Albertans want to have a useful dialogue that shapes how the Government of Alberta approaches property rights and many other important policy issues. A vital part of true dialogue is for government to listen – openly, attentively and respectfully.

Based on that strong foundation, meaningful and lasting changes can occur and together we can build a better Alberta.

APPENDIX

Stakeholder Associations Dialogue Sessions and Attendees

December 13, 2012 – Leduc, Alberta

- Alberta Association of Municipal Districts and Counties
- Alberta Fish & Game Association
- Canadian Association of Petroleum Land Administration
- Canadian Association of Petroleum Producers
- Western Stock Growers Association
- Wild Rose Agricultural Producers

December 19, 2012 – Airdrie, Alberta

- Alberta Association of Municipal Districts and Counties
- Alberta Beef Producers
- Alberta Cattle Feeders Association
- Alberta Grazing Leaseholders Association
- Alberta Surface Rights Federation
- Alberta Surface Rights Group
- Canadian Association of Petroleum Producers
- Freehold Owners Association
- Eastern Irrigation District Landowners Association

Estimated Attendance at Community Sessions

Location	*Date*	*Estimated Attendees*
Grimshaw	January 9, 2012	41
Grande Prairie	January 9, 2012	244
St. Paul	January 10, 2012	70
Westlock	January 10, 2012	75
Olds	January 11, 2012	216
Rocky Mountain House	January 11, 2012	66
Brooks	January 16, 2012	72
Hanna	January 16, 2012	76
Medicine Hat	January 17, 2012	80
Lethbridge	January 17, 2012	95
	Estimated Total	**1035**

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